



CERTIFICATE OF FACSIMILE/MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this Office Action Response, pursuant to 37 C.F.R. § 1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22323-1450, on:

Date:

May 23, 2005

By:

Seize J. Mascare
Signature of Person Depositing as First Class Mail

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--------------|---|-------------------|---------------|
| Inventor(s): | Michael N. Kozicki, et al. | Docket No.: | 29089.5200 |
| Serial No.: | 10/796,808 | Group Art Unit: | 2823 |
| Filing Date: | March 8, 2004 | Examiner: | Kebede, Brook |
| Title: | PROGRAMMABLE STRUCTURE INCLUDING AN OXIDE ELECTROLYTE AND METHOD OF FORMING SAME | | |
| | | Confirmation No.: | 2075 |

PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM UNDER 35 USC 119(E) FOR BENEFIT OF PRIOR-FILED PROVISIONAL APPLICATION

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
Fax: (703) 872-9306

05/25/2005 SDENBOB1 00000034 192814 10796808
02 FC:1454 1370.00 DA

Dear Sir:


In accordance with 35 USC § 119(e) and CFR § 1.78(a)(6), Applicants hereby petition for acceptance of the priority claim of the present application to Provisional U.S. Patent Application Serial No. 60/452,648, entitled FABRICATION OF PROGRAMMABLE METALLIZATION CELL DEVICES WITH OXIDE ELECTROLYTES, filed March 7, 2003. The entire delay between the date the priority claim was due under CFR § 1.78(a)(5)(ii) to the filing of this petition was unintentional.

Applicants hereby authorize the Commissioner to debit Deposit Account No. 19-2814 for the Petition Fee under 37 CFR §1.17(t) (\$1,330.00). **This statement does not authorize the payment of the issue fee.**

Should you have any questions, please do not hesitate to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: 5/23/05

By 
Cynthia L. Pillote
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